# FEDERAL REGISTER

VOLUME 19 NUMBER 183

*Washington, Tuesday, September 21, 1954*


## TITLE 7—AGRICULTURE

### Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas), Department of Agriculture

PART 728—WHEAT

SUBPART—1955–1956 MARKETING YEAR

COMMERCIAL WHEAT PRODUCING AREA

Section 335 of the Agricultural Adjustment Act of 1938, as amended, was further amended by Public Law 690, 83d Congress, approved August 28, 1954, to add a new subsection (e) which reads as follows:

(e) If, for any marketing year, the acreage allotment for wheat for any State is twenty-five thousand acres or less, the Secretary, in order to promote efficient administration of this Act and the Agricultural Act of 1949, may designate such State as outside the commercial wheat-producing area for such marketing year. No farm marketing quota or acreage allotment with respect to wheat under this title shall be applicable in such marketing year to any farm in any State so designated; and no acreage allotment in any other State shall be increased by reason of such designation. Notice of any such designation shall be published in the FEDERAL REGISTER.

The purpose of this amendment is to designate the States outside the commercial wheat-producing area for the 1955–1956 marketing year.

Since farmers in many areas are now preparing to seed wheat for the 1955 crop, it is imperative that the designation of the States outside such commercial wheat-producing area be announced as soon as possible in order that producers in such States may complete their plans for wheat production in 1955. Accordingly, it is hereby found that compliance with the public notice, procedure, and 30-day effective date provisions of the Administrative Procedure Act is impracticable and contrary to the public interest, and the amendments herein shall become effective upon filing of this document with the Director, Division of the Federal Register.

The regulations pertaining to farm acreage allotments for the 1955 crop (19 F. R. 3249) are amended by adding a new section as follows:

§ 728.527 *Commercial wheat-producing area.* The acreage allotments established under the provisions of §§ 728.510 to 728.526 shall be applicable only to farms in the commercial wheat-producing area for the 1955–1956 marketing year. The State acreage allotment for each of the States, Alabama, Arizona, Connecticut, Florida, Louisiana, Maine, Massachusetts, Mississippi, Nevada, New Hampshire, Rhode Island, and Vermont, as issued under § 728.505, was 25,000 acres or less. In order to promote efficient administration of the act, each of the States mentioned in this section is designated as outside the commercial wheat-producing area for the 1955–1956 marketing year. Accordingly, the commercial wheat-producing area for the 1955–1956 marketing year shall consist of all States in the continental United States except the States herein above-mentioned.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies sec. 335, 52 Stat. 54, as amended by sec. 309, 68 Stat. 897; 7 U. S. C. 1335)

Done at Washington, D. C., this 15th day of September 1954. Witness my hand and the seal of the Department of Agriculture.

[SEAL] EZRA TAFT BENSON,
*Secretary of Agriculture.*

[F. R. Doc. 54-7401; Filed, Sept. 20, 1954; 8:50 a. m.]

---

### Chapter XI—Agricultural Conservation Program Service, Department of Agriculture

[ACP-1955, Supp. 2]

PART 1101—NATIONAL AGRICULTURAL CONSERVATION

SUBPART—1955

EXCESS ACREAGE OF BASIC AGRICULTURAL COMMODITIES; ESTABLISHMENT OF VEGETATIVE COVER TO PROTECT CROPLAND

Pursuant to the authority vested in the Secretary of Agriculture under sections 7–17 of the Soil Conservation and Do-

(Continued on p. 6061)

## CONTENTS


Page

**Agricultural Conservation Program Service**
Rules and regulations:
National agricultural conservation, 1955; excess acreage of basic agricultural commodities; establishment of vegetative cover to protect cropland throughout 1955 crop year... 6059

**Agricultural Marketing Service**
Proposed rule making:
Pears, certain, grown in Oregon, Washington and California ... 6069
Sioux City Stock Yards, market agencies at; petition for modification of rate order... 6069

**Agriculture Department**
*See* Agricultural Conservation Program Service; Agricultural Marketing Service; Commodity Stabilization Service.

**Army Department**
Rules and regulations:
Enlistment, qualifications for and periods of... 6066

**Civil Aeronautics Board**
Notices:
Braniff Airways, Inc., certificate renewal; oral argument... 6071
Pan American World Airways, Inc. et al., IATA conditions of carriage for passengers and cargo; amendment and correction... 6071

**Coast Guard**
Rules and regulations:
Waivers of navigation and vessel inspection laws and regulations; eight-hour day on Great Lakes' tugs... 6067
Cross reference... 6067

**Commerce Department**
Notices:
Rabinow, Jacob; grant of license under foreign patent... 6070

**Commodity Stabilization Service**
Rules and regulations:
Wheat, 1955–1956 marketing year; commercial wheat-producing area... 6059

**Defense Department**
*See* Army Department.

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.



## CONTENTS—Continued

**Defense Mobilization Office** Page
Notices:
Army Ordnance Integration Committee on Conventional Artillery and Mortar Shell; addition to list of companies accepting request to participate in activities 6071
Rules and regulations:
Payment certificates, delegation of authority to issue 6067

**Federal Housing Administration**
Rules and regulations:
Property improvement loans, Classes 1 and 2 6062

**Federal Power Commission**
Notices:
Southern Production Co., Inc., application 6071

**Federal Trade Commission**
Proposed rule making:
Flammable Fabrics Act, regulations under reasonable and representative tests of certain textile fabrics 6069
Rules and regulations:
Southern mixed feed manufacturers; rescission of trade practice rules 6066

**Food and Drug Administration**
Proposed rule making:
Cheeses, cheese foods, cheese spreads, and related foods; definitions and standards of identity 6068

**Foreign Claims Settlement Commission**
Rules and regulations:
Procedure for determination of claims; hearings 6061
Rehearing and reargument; appeals 6067

**Health, Education, and Welfare Department**
*See* Food and Drug Administration.

**Housing and Home Finance Agency**
*See* Federal Housing Administration.

**Interior Department**
*See also* Land Management Bureau.
Notices:
Filing of objections to order withdrawing public lands as material site and for timber access road 6071

**Interstate Commerce Commission**
Notices:
Applications for relief:
Carbonate of calcium from Ludington, Mich., to trunk line and New England territories 6074
Cigarettes and manufactured tobacco from Durham and Winston-Salem, N. C., to Louisville, Ky 6073
Sand, ground or pulverized, in official territory 6073

## CONTENTS—Continued

**Interstate Commerce Commission—Continued** Page
Rules and regulations:
Explosives and other dangerous articles; specification containers prescribed 6068

**Land Management Bureau**
Notices:
Oil and gas lease offer: outer Continental Shelf off Texas 6070
Rules and regulations:
Oregon; withdrawal of public lands as material site and for timber access road 6067
Washington; partial revocation of EO reserving lands within townsite of Port Angeles for Government use 6067

**Securities and Exchange Commission**
Notices:
Hearings, etc.:
American Annuity Savings Association 6072
Oneida Ltd 6072
Standard Gas and Electric Co. and Philadelphia Co 6073

**Treasury Department**
*See* Coast Guard.

## CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

**Title 3** Page
Chapter II (Executive orders)
1661 (revoked in part by PLO 1010) 6067

**Title 7**
Chapter VII.
Part 728 6059
Chapter IX.
Part 939 (proposed) 6069
Chapter XI.
Part 1101 6059

**Title 16**
Chapter I.
Part 27 6066
Part 302 (proposed) 6069

**Title 21**
Chapter I.
Part 19 (proposed) 6068

**Title 22**
Chapter III.
Part 300 6061

**Title 24**
Chapter II.
Part 201 6062

**Title 32**
Chapter V:
Part 571 6066

**Title 32A**
Chapter I (ODM)
DMO I-11 6067

**Title 33**
Chapter I.
Part 19 6077

## CODIFICATION GUIDE—Con.


| | Page |
|---|---|
| **Title 43** | |
| Chapter I. | |
| Appendix C (Public land orders) | |
| 635 (see PLO 1010) | 6067 |
| 1009 | 6067 |
| 1010 | 6067 |
| **Title 45** | |
| Chapter V | |
| Part 515 | 6067 |
| **Title 46** | |
| Chapter I. | |
| Part 154 | 6067 |
| **Title 49** | |
| Chapter I. | |
| Parts 71–78 | 6068 |


mestic Allotment Act, as amended, Public Law 690, 83d Congress, and the Department of Agriculture Appropriation Act, 1955, the 1955 National Agricultural Conservation Program, approved July 1, 1954 (19 F R. 4138) as amended August 3, 1954 (19 F. R. 4953) is further amended as follows:

1. Section 1101.643 is deleted and the following substituted therefor:

§ 1101.643 *Excess acreage of basic agricultural commodities.* (a) Any person who knowingly harvests any basic agricultural commodity or causes any basic agricultural commodity to be harvested on any farm in which he has an interest, in excess of the 1955 acreage allotment for the farm for such basic agricultural commodity under the Agricultural Adjustment Act of 1938, as amended, shall not be eligible for any payment of cost-shares whatsoever on that farm or on any other farm under 1955 programs authorized by sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended. A basic agricultural commodity shall not be deemed to have been knowingly harvested on any farm in excess of the farm acreage allotment for such basic agricultural commodity if it is determined under applicable price support regulations that the acreage allotment for the commodity has not been knowingly exceeded.

(b) Any person who makes application for payment of cost-shares with respect to any farm shall file with such application a statement that he has not knowingly harvested any basic agricultural commodity or caused any basic agricultural commodity to be harvested on any farm in which he has an interest, in excess of the 1955 acreage allotment established for the farm for such basic agricultural commodity under the Agricultural Adjustment Act of 1938, as amended.

2. Section 1101.688 is deleted and the following substituted therefor:

§ 1101.688 *Practice D–4: Establishment of a vegetative cover to protect cropland throughout the 1955 crop year* This practice is applicable only to cropland which is being shifted for the entire 1955 crop year from crop production to green manure or cover crops. Eligible seedings may consist of single seedings or successive seedings of grasses, legumes, small grains, or other crops which will provide adequate soil protection for the required period. Where annuals alone are used, at least two successive seedings must be made, except in areas where it is determined by the State committee that lack of moisture makes it impracticable to obtain additional green manure or cover crops in 1955 on the same land. Pasturing consistent with good management may be permitted. No crop may be harvested for seed in 1955. No crop may be harvested for hay in 1955, except in areas where the State committee determines that a serious shortage of forage exists due to the drought. No annual crop seeded in the fall of 1955 may be harvested for hay or seed in 1956 if such seeding is one of the two required seedings of such annual crops. One of the two required seedings of annuals may be a winter cover crop seeded in the fall of 1954 or a volunteer seeding which provides adequate soil protection, but no Federal cost-sharing may be allowed for the volunteer seeding.

(Sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs. 7–17, 49 Stat. 1148, as amended, Pub. Law 690, 83d Cong. 68 Stat. 304; 16 U. S. C. 590g–590q)

Done at Washington, D. C., this 15th day of September 1954.

[SEAL] J. EARL COKE,
*Assistant Secretary of Agriculture.*

[F. R. Doc. 54–7377; Filed Sept. 20, 1954; 8:45 a. m.]

# TITLE 22—FOREIGN RELATIONS

## Chapter III—Foreign Claims Settlement Commission of the United States

### PART 300—RULES OF PRACTICE AND PROCEDURE

### PROCEDURE FOR DETERMINATION OF CLAIMS; HEARINGS

Pursuant to the International Claims Settlement Act of 1949, as amended (64 Stat. 12; 22 U. S. C. secs. 1621 ff.) Reorganization Plan No. 1 of 1954, effective July 1, 1954 (19 F R. 3985) and section 4 of the Administrative Procedure Act of 1946 (60 Stat. 238; 5 U. S. C. sec. 1003) the Foreign Claims Settlement Commission of the United States, having given an opportunity to interested persons to submit their views and other relevant information with respect to certain proposed amendments to its rules of practice and procedure (Part 300 of Title 22, Code of Federal Regulations) as the same appeared in the FEDERAL REGISTER (19 F R. 5234) and no such views or other relevant information having been received, hereby adopts, publishes and declares, effective on the date of publication in the FEDERAL REGISTER, the following amendments to such rules:

1. Paragraphs (c) (d) and (e) of § 300.5 thereof are amended to read as follows:

(c) Where such proposed decision denies the claim in whole or in part, claimant may within fifteen days of service thereof file objections to such denial, assigning the errors relied upon, with accompanying brief in support thereof, and may request a hearing on the claim, specifying whether for the taking of evidence or only for the hearing of oral argument, upon the errors assigned.

(d) Within twenty days after receipt of notice of any proposed decision issued as provided in paragraph (b) of this section, the foreign government concerned may file a brief as amicus curiae with respect to the claim, with the Commission in Washington, or through the diplomatic representative of the United States in the country concerned.

(e) Upon the expiration of twenty days after such service or receipt of notice, if no objection under paragraph (c) of this section nor brief as amicus curiae under paragraph (d) of this section has in the meantime been filed, such proposed decision shall by further order of the Commission become its final determination and decision upon the claim; and

2. Paragraph (a) of § 300.6 thereof is amended to read as follows:

(a) Hearings, whether upon the Commission's own motion or upon request of claimant, shall be held upon ten days' notice of the time and place thereof and of the questions to which limited, to the claimant and to the foreign government concerned, or sooner upon consent by the claimant and notice thereof to the foreign government concerned.

(Sec. 3, 64 Stat. 13; 22 U. S. C. 1622)

Existing provisions of the International Claims Settlement Act of 1949, as amended, require the Commission to complete its determination of claims against Yugoslavia by December 31, 1954. To facilitate the accomplishment of this end, the Commission is of the opinion that some of the claims determination procedures provided by its applicable rules of practice and procedure should be accelerated. The foregoing amendments are designed to achieve such acceleration; and the Commission finds that such purpose will be accomplished without unduly restricting adequate consideration of all claims still to be determined.

Dated at Washington, D. C., September 20, 1954.

By the Commission.

WHITNEY GILLILLAND,
*Chairman.*
HENRY J. CLAY,
*Commissioner.*
PEARL CARTER PACE,
*Commissioner*

[F. R. Doc. 54–7427; Filed, Sept. 20, 1954; 8:53 a. m.]

# TITLE 24—HOUSING AND HOUSING CREDIT

## Chapter II — Federal Housing Administration, Housing and Home Finance Agency

### Subchapter B—Property Improvement Loans

### PART 201—CLASS 1 AND CLASS 2 PROPERTY IMPROVEMENT LOANS

Sec.
201.1 Definitions.
201.2 Eligible notes.
201.3 Maximum amount of loans.
201.4 Financing charges.
201.5 Credits and collections.
201.6 Eligible expenditures.
201.7 Eligible improvements.
201.8 Dealer investigation, approval and control.
201.9 Refinancing.
201.10 Report of loans.
201.11 Claims.
201.12 Insurance reserve.
201.13 Insurance charge.
201.14 Administrative reports and examination.
201.15 Amendments.
201.16 Effective date.

AUTHORITY: §§ 201.1 to 201.16 issued under sec. 2, 48 Stat. 1246, as amended; 12 U. S. C. and Sup. 1703.

§ 201.1 *Definitions.* As used in the regulations in this part, the term:

(a) "Act" means the National Housing Act, as amended.

(b) "Administration" means the Federal Housing Administration.

(c) "Commissioner" means the Federal Housing Commissioner or his duly authorized representative.

(d) "Contract of Insurance" includes all of the provisions of the regulations in this part and of the applicable provisions of the Act.

(e) "Insured" means a financial institution holding a Contract of Insurance under Title I of the act.

(f) "Loan" means an advance of funds or credit or the purchase of an obligation evidenced by a note.

(g) "Note" includes a note, bond, mortgage, or other evidence of indebtedness.

(h) "Payment" includes a deposit to an account or fund which represents the full or partial repayment of a loan.

(i) "Borrower" means one who applies for and receives a loan in reliance upon the provisions of the act and whose interest in the property to be improved is (1) a fee title, or (2) a life estate, or (3) an equitable interest under an instrument of trust or contract, or (4) a lease having a fixed term, expiring not less than six calendar months after the maturity of the loan.

(j) "Class 1 (a) loan" means a loan, other than a loan defined in paragraph (k) of this section as a "Class 1 (b) loan," which is for the purpose of financing the repair, alteration, or improvement of an existing structure or of the real property in connection therewith, exclusive of the building of new structures.

(k) "Class 1 (b) loan" means a loan which is made for the purpose of financing the alteration, repair, improvement, or conversion of an existing structure used or to be used as an apartment house or a dwelling for two or more families.

(l) "Class 2 (a) loan" means a loan which is for the purpose of financing the construction of a new structure which is to be used exclusively for other than residential or agricultural purposes.

(m) "Class 2 (b) loan" means a loan which is for the purpose of financing the construction of a new structure for use in whole or in part for agricultural purposes, exclusive of residential purposes.

(n) "Class 1 loan" includes both "Class 1 (a)" and "Class 1 (b)" loans as defined in paragraphs (j) and (k) of this section.

(o) "Class 2 loan" includes both "Class 2 (a)" and "Class 2 (b)" loans as defined in paragraphs (l) and (m) of this section.

(p) "Existing structure" means a residential structure completed and occupied at least six months prior to the application for the Title I loan or a structure for other than residential purposes which was a completed building with a distinctive functional use prior to the application for the Title I loan.

§ 201.2 *Eligible notes*—(a) *Validity.* The note shall bear the genuine signature of the borrower as maker, shall be valid and enforceable against the borrower or borrowers as defined in § 201.1 (i) and shall be complete and regular on its face. The signatures of all parties to the note must be genuine. If the note is executed for and on behalf of a corporation or in a representative capacity, the note must create a binding obligation of the principal.

(b) *Acceleration clause.* The note shall contain a provision for acceleration of maturity, either automatic or at the option of the holder, in the event of default in the payment of any installment upon the due date thereof.

(c) *Payments.* The note shall be payable in equal monthly, semimonthly, or weekly installments. The first installment or the final installment may be more or less than the other installments provided that it is not less than one-half or more than one and one-half times the amount of a regular installment. A note may not provide for a first payment less than 6 days nor more than two calendar months from the date of the note. However, if 51 percent or more of the income of the borrower is derived directly from the sale of agricultural crops, commodities, or livestock produced by him, a note may be made payable in installments corresponding to income periods shown on the Credit Application. In such cases, the first payment must be made within 12 months of the date of the note and at least one payment shall be made in each 12 months thereafter, provided that no two payments shall be more than 12 months apart, and the proportion of total principal to be paid in later years shall not exceed the proportion of total principal payable in earlier years. In lieu of an installment note payable in equal periodic installments a loan may be evidenced by a series of notes provided each is of an equal amount as provided in this section and that each note indicates on its face that it is one of a series signed by the same borrower.

(d) *Maturity*—(1) *Minimum.* The note shall not have a final maturity of less than 6 calendar months from the date of the note.

(2) *Maximum.* The maximum permissible maturity of a note evidencing:

(i) A Class 1 (a) or a Class 2 (a) loan is 3 years and 32 days from the date of the note.

(ii) A Class 1 (b) loan is 7 years and 32 days from the date of the note.

(iii) A Class 2 (b) loan is 7 years and 32 days from the date of the note, except that if a Class 2 (b) loan is secured by a first mortgage, first deed of trust, or other security instrument constituting a first lien upon the improved property the loan may have a final maturity not in excess of 15 years and 32 days from the date of the note.

(iv) A combination of any of the above classes of loans shall be no greater than the maximum maturity governing that component part of the loan having the shortest maturity if made alone.

(e) *Late charges.* The note may provide for a late charge, not to exceed 5 cents for each $1.00 of each installment more than 15 days in arrears. No late charge on a past due installment may be accrued in excess of $5.00. In lieu of late charges, notes may provide for interest on past due installments at a rate not in excess of the contract rate in the jurisdiction in which the note is drawn. The borrower must be billed for the penalties collected as such, and evidence of such billing must be in the file if claim is made under the Contract of Insurance.

§ 201.3 *Maximum amount of loans*—(a) *Class 1 (a) loan.* A Class 1 (a) loan shall not involve a principal amount, exclusive of financing charges in excess of $2,500.

(b) *Class 1 (b) loans.* A Class 1 (b) loan shall not involve a principal amount, exclusive of financing charges, in excess of $2,500 per dwelling unit in the improved structure and shall not exceed $10,000.

(c) *Class 2 loan.* A Class 2 loan shall not involve a principal amount, exclusive of financing charges, in excess of $3,000.

(d) *Outstanding aggregate loan balance.* No loan shall be made which will result in an outstanding aggregate loan balance with respect to the same property or structure exceeding the dollar amount limitation prescribed in this section for the type of loan involved. If more than one type or class of loan is involved, the total outstanding aggregate loan balance as to one structure or property shall not exceed the dollar amount limitation prescribed in this section for the type or class of loan having the larger permissible maximum amount.

§ 201.4 *Financing charges*—(a) *Maximum charge.* The maximum permissible financing charges, exclusive of fees and charges as provided by paragraph (b) of this section, which may be paid or collected for interest, discount, and fees of all kinds in connection with the transaction, shall be computed as follows:

(1) Class 1 loans having a principal amount not in excess of $2,500 shall not have a financing charge in excess of an amount equivalent to $5.00 discount per $100 original face amount of a 1-year note, to be paid in equal monthly installments calculated from the date of the note.

(2) Class 1 loans having a principal amount in excess of $2,500 shall not have a financing charge in excess of an amount equivalent to $4.00 discount per $100 original face amount of a one year note, to be paid in equal monthly installments calculated from the date of the note.

(3) Class 2 loans shall not have a financing charge in excess of an amount equivalent to $5.00 discount per $100 original face amount of a 1-year note, to be paid in equal monthly installments calculated from the date of the note, except that Class 2 (b) loans having a maturity in excess of 7 years and 32 days shall not have a financing charge in excess of an amount equivalent to $3.50 discount per $100 original face amount of a 1-year note, to be paid in equal monthly installments calculated from the date of the note. Such charges correctly based on tables of calculations issued by the Federal Housing Commissioner are deemed to comply with this section.

An increase in the ratio of the charge to the average amount outstanding on the debt over the maximum provided in this section, which increase results from the first payment falling due less than 30 days after the date of the note as provided in § 201.2 (c) shall not be deemed to be in conflict with this section.

(b) *Permissible additional charges.* If the insured takes security in the nature of a real estate mortgage, deed of trust, conditional sales contract, chattel mortgage, mechanic's lien, or other security device for the purpose of securing the payment of eligible loans, the insured may collect from the borrower, in addition to the maximum permissible financing charge as provided in paragraph (a) of this section, the following expenses actually incurred by the insured in connection with the transaction: Recording or filing fees, documentary stamp taxes, title examination charges and hazard insurance premiums, provided that such costs or expenses are not paid from the proceeds of the loan or included in the face amount of the note. Such costs or expenses shall not be included by the insured as a portion of a claim under the Contract of Insurance and if such costs or expenses are assessed against the borrower, proper evidence thereof shall be in the file.

(c) *Dealer reserve accounts and guarantees.* Reserve accounts to assure against losses on loans reported to the Commissioner for insurance are prohibited. A dealer or other person may be required to endorse or guarantee payment of notes so long as no reserve account is involved, but any such guarantee must cover the full amount due on the note.

(d) *Repayment rebate.* If a note is paid in full prior to maturity, the insured shall make a rebate at a rate not less than 6 percent per annum of the amounts so paid in advance of their due dates, if the maximum permissible financing charge in connection with the transaction is in an amount equivalent to $5.00 discount as provided in paragraph (a) of this section. If a lesser charge has been taken, the rebate shall be at not less than a proportional rate.

§ 201.5 *Credits and collections*—(a) *Credit application.* Prior to making a loan the insured shall obtain a dated Credit Application executed by the borrower on a form approved by the Commissioner. A separate Credit Application is required for each loan made or note purchased.

(b) *Credit investigation.* The Credit Application, supplemented by such other information as the insured deems necessary, must, in the judgment of the insured, clearly show the borrower to be solvent, with reasonable ability to pay the obligation and in other respects a reasonable credit risk. If, after the loan is made, an insured who acted in good faith discovers any material misstatements or misuse of the proceeds of the loan by the borrower, dealer, or others, the eligibility of the note for insurance will not be affected. However, the insured shall promptly report such discovery to the Commissioner.

(c) *Outstanding FHA and direct Federal obligations.* The proceeds of a loan shall not be disbursed if the insured has knowledge that the borrower is past due more than 15 days as to either principal or interest with respect to an obligation owing to, or insured by, any department or agency of the Federal Government, provided that nothing contained herein shall prevent the making of a loan otherwise eligible, even though the borrower is in default under such an obligation by reason of his military service and the approval of the Commissioner is obtained.

(d) *Past due Title I notes at time of purchase.* A note shall not be purchased when any installment thereon is past due more than 15 days at the date of purchase except purchases of notes under the provisions of § 201.12.

(e) *Prior approval by Commissioner* Any loan which increases the principal amount outstanding as to all Class 1 or Class 2 loans to any individual borrower to an amount in excess of $5,000, exclusive of financing charges, will be accepted for insurance only upon prior approval of the Commissioner.

(f) *Security.* The taking of security to secure the payment of a loan is left to the discretion of the insured unless specifically required by the Commissioner in accordance with the provisions of paragraph (e) of this section or of § 201.2 (d) (2) (iii) An insured may permit the substitution or subordination of security provided it can be shown when claim is made that at the time of such action the original security value was not impaired or reduced as a result of such action. Upon presentation of the facts the prior approval of the Commissioner may be obtained by the insured to any proposed substitution or subordination of security.

(g) *Collections.* The insured is required to service loans in accordance with acceptable practices of prudent lending institutions. In the event of default, the insured should have adequate facilities for contacting the borrower and otherwise exercise diligence in collecting the amount due. The insured is responsible to the Commissioner for proper collection efforts even though actual collection may be performed by an agent.

(h) *When owner must sign note.* When a borrower is a lessee of property to be improved, which is used or to be used for other than residential or agricultural purposes, the owner of the property shall join in the execution of the note unless the prior credit approval of the Commissioner is obtained.

§ 201.6 *Eligible expenditures*—(a) *Property location.* The property to be improved shall be located within the United States, its Territories, or possessions.

(b) *Use of proceeds.* The proceeds of a loan shall be used only to finance alterations, repairs, and improvements upon real property or in connection with existing structures which substantially protect or improve the basic livability or utility of the property, and which are commenced in reliance upon the credit facilities afforded by Title I of the act.

(c) *Reliance on Credit Application.* An insured acting in good faith may, in the absence of information to the contrary, rely upon all statements of fact made by the borrower, which are called for by the borrower's Credit Application, in determining the eligibility of the loan.

(d) *Technical services and direct costs.* The proceeds of a loan may be used to pay the cost of architectural and engineering services, and fees paid for obtaining building permits that are directly connected with the eligible alterations, repairs, or improvements financed in accordance with the regulations in this part.

(e) *Supplementing an uninsured obligation.* The proceeds of a loan shall not be used to supplement another obligation of the borrower not reported for insurance, the payment of which is to be secured by a prior lien created in connection with the proposed alterations, repairs, or improvements.

§ 201.7 *Eligible improvements*—(a) *Ineligible items.* There is hereby established a "List of Ineligible Items" which includes items, products, alterations, repairs, or improvements, or classes thereof, which the Commissioner has determined not to be eligible for financing with the proceeds of loans reported for insurance under the regulations in this part.

(1) *List of ineligible items.* No part of the proceeds of a loan made on or after June 10, 1954, shall be used to finance any of the following items:

Barbecue pits.
Bathhouses.
Burglar alarms.
Burglar protection bars.
Door opening and closing devices.
Dumbwaiters.
Fire alarms or fire detecting devices.
Fire extinguishers.
Flower boxes.
Grading and landscaping.
Greenhouses.

Hangars (airplane).
Kennels.
Lawn sprinkling systems.
Outdoor fireplaces or hearths.
Penthouses.
Photo murals.
Radiator covers or enclosures.
Stands.
Steam cleaning of exterior surfaces.
Swimming pools.
Television antennae.
Tennis courts.
Tree surgery.
Valance or cornice boards.
Venetian blinds.

(2) *Additional list of ineligible items.* No part of the proceeds of a loan made on or after July 6, 1954, shall be used to finance any of the following items:

Patios, unless permanently attached and affixed to an existing structure and covered by a roof.

(b) *Other ineligible items.* The omission of any item from the "List of Ineligible Items" shall not be construed as rendering such omitted item eligible for financing. All items otherwise ineligible for Title I financing shall remain ineligible for such financing notwithstanding any provision of this section. If an insured has any doubt as to the eligibility of any item, product, alteration, repair or improvement, or class thereof, it should request a specific ruling from the Commissioner before making any loan for the purpose of financing such item, product, alteration, repair or improvement.

(c) *Commitments.* If an insured has made a legally binding commitment to make a loan for the purpose of financing any item or improvement which was eligible for financing under Title I at the time such commitment was given, such loan will be eligible to be reported for insurance if:

(1) The improvements financed are completed and the proceeds of the loan disbursed within 30 days after the determination by the Commissioner that the item, product, alteration, repair or improvement is no longer to be eligible for Title I financing, and

(2) The insured attaches to the report of any such loan to the Commissioner a certification in the following form:

The undersigned hereby certifies that it had made a legally binding commitment to make the loan in this case prior to ---------, 195--.

---

(Name of Insured Financial Institution)
By----------
Title----------

§ 201.8 *Dealer investigation, approval and control—*(a) *Procedure before disbursement.* Before disbursing the proceeds of a loan, the insured shall:

(1) *Dealer investigation and approval.* Have approved the dealer after such investigation as the insured considers necessary to establish that the dealer is reliable, financially responsible and qualified to perform satisfactorily the work to be financed and to extend proper service to the customer. This approval shall be evidenced by an application signed and dated by the dealer and signed and dated by the insured on forms approved by the Commissioner. The dealer application, the approval by the insured, together with supporting information and a record of the insured's experience with the loans originated by such dealer shall be in the insured's file. For the purpose of this section the term "dealer" means the one who executed the dealer's completion certificate.

(2) *Completion certificates.* Obtain a completion certificate signed by the borrower and a completion certificate signed by the dealer on forms approved by the Commissioner. An insured shall not disburse the proceeds of a loan, if, as an inducement for the consummation of the transaction, the borrower has been given or promised a cash payment or rebate or it has been represented to the borrower that he will receive a cash bonus or commissions on future sales. In the absence of information to the contrary, the insured may rely upon the dealer's statement in his completion certificate as to such bonus selling. If there are two or more eligible borrowers involved in a transaction, only one signature is required on the borrower's certificate.

(3) *Authorization to pay loan proceeds.* Obtain written authorization from the borrower, if the insured is the payee of the note and the proceeds are to be disbursed to one other than the borrower.

(4) *Description of improvements.* Obtain a copy of the contract or sales agreement, signed by the borrower and the dealer, describing the type and extent of improvements to be made and the material to be used. Such contract or sales agreement shall be of a type regularly used by the dealer in his business. The signature appearing on the copy of the contract or sales agreement may be a carbon imprint of the signatures appearing on the original.

(5) *Advance notice to applicant.* Mail to the borrower or personally deliver to the borrower written notice of approval of the application for credit on a form approved by the Commissioner. Such notice shall be directed to the borrower prior to the disbursement of the loan and in no event less than six calendar days prior to such disbursement. A record of such notice showing the date of mailing or delivery to the borrower shall be in the loan file.

(b) *Precautionary measures.* If the insured has not approved the dealer, as provided in paragraph (a) (1) of this section or has reason to withdraw such approval, the proceeds of a loan shall not be disbursed until:

(1) The insured has verified all statements contained on the borrower's credit application.

(2) The borrower has signed the borrower's completion certificate in the presence of the insured.

(3) The insured has inspected the work performed in every instance when the amount involved is $500 or more, and in at least one out of every three transactions when the amounts involved are less than $500.

(4) The insured has signed a statement to the effect that the above requirements were complied with prior to releasing the proceeds of any such loans. Such statement must accompany each loan report.

(c) *Exceptions.* The provisions of paragraphs (a) and (b) of this section shall not apply to loans made directly to the borrower or borrowers where the proceeds are delivered directly to such borrower or borrowers without the intervention or participation of the dealer or other intermediary in any manner in such disbursement.

(d) *Ineligible persons.* No loan shall be made where the insured has knowledge that any person participating in the transaction as dealer, salesman, broker, borrower, or in any other capacity has been barred from participation in the Title I program pursuant to § 200.13 of this chapter.

§ 201.9 *Refinancing—*(a) *General requirements.* New obligations to liquidate loans previously reported for insurance pursuant to Title I of the act and made on and after October 1, 1954, which may or may not include an additional amount advanced will be covered by insurance, if they meet the requirements of all applicable regulations in this part and the special provisions of this section. Loans made prior to October 1, 1954, may be refinanced under the regulations in effect at the time such loans were made but no additional advance shall be made and such refinancing shall not involve a consolidation with a loan or loans made after October 1, 1954.

(b) *Maximum maturity.* (1) A Class 1 (a) loan or a Class 2 (a) loan may be refinanced for an additional period not in excess of 3 years and 32 days from the date of the refinancing, but not to exceed 5 years from the date of the original note.

(2) A Class 1 (b) loan may be refinanced for an additional period not in excess of 7 years and 32 days from the date of the refinancing, but not to exceed 10 years from the date of the original note.

(3) A Class 2 (b) loan may be refinanced for an additional period not in excess of 7 years and 32 days from the date of the refinancing, but not to exceed 10 years from the date of the original note, except that if a Class 2 (b) loan is secured by a first mortgage, first deed of trust, or other security instrument, constituting a first lien upon the improved property, the new note may have a final maturity not in excess of 15 years and 32 days from the date of the refinancing, but not to exceed 25 years from the date of the original note.

(4) When a Class 1 loan or a Class 2 loan is made or refinanced and consolidated with another Class 1 loan or Class 2 loan, the new note evidencing the consolidated obligation shall not be for a longer term than that which the component loan having the shortest permissible maturity could have if made or refinanced alone.

(c) *Rebate.* The full unearned charge on the original note shall be refunded to the borrower. If no additional advance is made a handling charge not in excess of $2.00 may be assessed the borrower.

(d) *Special cases.* The Commissioner may upon presentation of the facts approve the refinancing or refinancing and consolidation of any loan or loans upon such terms and conditions as he may

determine within the limits provided by the act.

(e) *Deferred payments.* An agreement to defer payments on a note previously reported for insurance under the regulations in this part without rewriting the note is not considered refinancing. Such agreement will not affect the insurance coverage on the loan provided that:

(1) Such agreement is evidenced in writing;

(2) Payments shall not be deferred for more than 5 months from the due date of the last fully paid installment;

(3) Such agreement shall not extend the final maturity of the obligation beyond the maturity date of the obligation as provided by its original terms;

(4) The insured may assess the borrower for the cost of such deferment if such charge is not in excess of an equivalent amount of late charges as provided in § 201.2 (e)

§ 201.10 *Report of loans.* Loans shall be reported on the prescribed form to the Federal Housing Administration at Washington, D. C., within 31 days from the date of the note or date upon which it was purchased. Any loan refinanced as provided in § 201.9 shall likewise be reported on the prescribed form within 31 days from date of refinancing. In any case, the Commissioner may, in his discretion, accept a late report.

§ 201.11 *Claims*—(a) *Claim application.* Claim for reimbursement for loss on an eligible loan shall be made on a form provided by the Commissioner, and executed by a duly qualified officer of the insured. The claim shall be accompanied by the insured's complete credit and collection file pertaining to the transaction.

(b) *Claim after default.* Claim may be made after default provided demand has been made upon the debtor for the full unpaid balance of the note.

(c) *Maximum claim period.* For the purpose of determining when a claim must be filed under the provisions of this section, any payments received on an account, including payments on a judgment predicated thereon, shall be applied to the earliest unpaid installment, and in the case of:

(1) Yearly installment notes, whenever an installment is 12 months in default, claim must be made within 31 days thereafter;

(2) All other installment notes, whenever an installment is 9 months in default, claim shall be made within 31 days thereafter, but interest is to be allowed only for 6 months and 31 days;

(3) Military service cases, if at any time during default a person primarily or secondarily liable for the repayment of any loan is a "person in military service," as such term is defined in the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, the period during which he is in military service shall be excluded in computing the time within which claim must be made for reimbursement under the provisions of this section.

(d) *Extension of maximum claim period.* Upon presentation to the Commissioner of the facts of a particular case within the allowable claim period prescribed in this section, he may, in his discretion, extend the time within which claim must be made, provided that in computing the claim no interest will be allowed for the period of such extension.

(e) *Claim amount.* An insured will be reimbursed for its loss on loans made in accordance with the regulations in this part up to the amount of its reserve as established by § 201.12 as follows:

(1) 90 percent of the net unpaid amount of the loan actually made or the actual purchase price of the note, whichever is the lesser;

(2) 90 percent of the uncollected earned interest to date of default and 90 percent of interest from the date of default to the date of the application for reimbursement of loss sustained figured at 4 percent per annum on the outstanding principal balance, but in no event shall the total interest allowed exceed the maximum permissible financing charge on the principal amount outstanding to the date of application for reimbursement.

(3) Uncollected court costs, including fees paid for issuing, serving, and filing summons;

(4) Attorney's fees actually paid not exceeding:

(i) 25 percent of the amount collected by the attorney on the defaulted note provided the insured does not waive its claim against the borrower for such fees;

(ii) $25.00 or 15 percent of the balance due on the note, whichever is the lesser, if a judgment is secured by suit, or $10.00 or 15 percent of the balance due on the note, whichever is the lesser, if a judgment is secured by confession after default; and

(iii) $50.00 plus 5 percent of the balance due on the note as an additional fee where the action is contested and judgment is obtained.

(f) *Assignment of documents.* The note and any security held or judgment taken must be assigned in its entirety and if any claim has been filed in bankruptcy, insolvency, or probate proceedings, such claim shall likewise be assigned to the United States of America.

(g) *Form of assignment.* The following form of assignment properly dated shall be used in assigning a note, judgment, real estate mortgage, deed of trust, conditional sales contract, chattel mortgage, mechanic's lien, or any other security device in event of claim:

All right, title, and interest of the undersigned is hereby assigned (without warranty, except that the note qualifies for insurance) to the United States of America.

---
(Financial Institution)
By ---
Title ---
Date ---

Provided, That if this form is not valid or generally acceptable in the jurisdiction involved, a form which is valid and generally acceptable shall be used.

(h) *Election of action.* Where a real estate mortgage, deed of trust, conditional sales contract, chattel mortgage, mechanic's lien, or any other security device has been used to secure the payment of a loan made under the provisions of Title I of the act, the insured may not, except with the approval of the Commissioner, both proceed against such security and also make claim under its contract of insurance, but shall elect which method it desires to pursue.

§ 201.12 *Insurance Reserve*—(a) *Legal limit.* Subject to the limitation on the Commissioner's authority to insure as stipulated in section 2 of Title I of the act, the Commissioner, pursuant to the provisions of § 201.11, will reimburse any insured for losses sustained by it in accordance with the general insurance reserve provisions of paragraph (b) of this section.

(b) *General insurance reserve.* There shall be maintained for each insured a general insurance reserve which shall equal 10 percent of the aggregate amount advanced on all eligible loans originated by such insured pursuant to the provisions of the regulations in this part on and after March 1, 1950, and prior to July 1, 1955, less the amount of all claims approved for payment by the Commissioner in connection with such loans and less the amount of the adjustment or adjustments, if any, made pursuant to paragraph (c) of this section.

(c) *Adjustment of general reserve.* The amount of the general insurance reserve to the credit of each insured shall be adjusted on July 1 of each year by deducting therefrom an amount equivalent to one-fifth of the amount of such insurance reserve on the records of the Commissioner as of the date of such adjustment: *Provided,* That no such adjustment shall reduce the insurance reserve of any insured to an amount less than $5,000: *And provided further* That no such adjustment shall be made in the insurance reserve of any financial institution until the first day of July next following the expiration of a period of 30 months after the issuance of a contract of insurance to such institution by the Commissioner, and no such adjustment shall be made in the insurance reserve of any financial institution after the termination of the contract of insurance issued to such institution by the Commissioner, or after the termination of the Commissioner's authority to insure against losses pursuant to the National Housing Act.

(d) *Transfer of loans reported for insurance.* The insured shall not assign or otherwise transfer any loan reported for insurance to a transferee not holding a contract of insurance under Title I of the National Housing Act: *Provided,* That nothing contained herein shall be construed to prevent the pledging of such loans as collateral security under a trust agreement, or otherwise, in connection with a bona fide loan transaction.

(e) *Transfer of insurance reserve.* Insurance reserve of more than $5,000 shall not be transferred to or from the reserve account of any insured during any fiscal year (July 1 through June 30) without the prior approval of the Commissioner. Except in cases involving the transfer of loans sold with recourse or under a guaranty, guarantee or re-

purchase agreement, the reports required by § 201.10 shall be submitted, indicating the intent of the parties with respect to the transfer of the insurance reserve; and, unless the approval of the Commissioner is obtained, the insurance reserve shall be transferred as follows:

(1) In cases involving the transfer of notes purchased without recourse, guaranty guarantee, or repurchase agreement, provided no installment payment is past due more than one calendar month at the time of purchase, reserve shall be transferred to the reserve of the purchasing institution, on the basis of 10 percent of the actual purchase price or net unpaid original advance, whichever is the lesser.

(2) In cases involving the transfer of notes purchased without recourse, guaranty, guarantee, or repurchase agreement, where one or more installment payments are past due more than one calendar month at the time of purchase, the loans and reserves shall be transferred on an earmarked basis. In the case of earmarked transfers all reserves accrued by reason of the loans transferred shall be transferred, but such reserves shall be available only for payment of claims on the loans transferred, and claims on such loans can be paid only up to the amount of such earmarked reserves.

(3) In cases involving the transfer of notes sold with recourse or under a guaranty guarantee, or repurchase agreement, no insurance reserve will be transferred and no reports will be required.

(f) *FHA recovery shall not affect reserve.* Amounts which may be salvaged by the Commissioner with respect to a loan in connection with which an insured has been reimbursed under its contract of insurance shall not be added to the insurance reserve remaining to the credit of such insured.

§ 201.13 *Insurance charge*—(a) *Rate.* The insured shall pay to the Commissioner an insurance charge equal to sixty-five one-hundredths (0.65) of 1 percent per annum of the net proceeds of any eligible loan reported and acknowledged for insurance: *Provided,* That in the case of a Class 1 (b) loan in excess of $2500, exclusive of financing charges, and in the case of a Class 2 (b) loan having a maturity in excess of 7 years, such insurance charge shall be forty-five one-hundredths (0.45) of 1 percent per annum. In computing the insurance charge, no charge shall be made for the fractional period of a month of 15 days or less, and a charge for a full month shall be made for the fractional period of a month of more than 15 days.

(b) *When payable.* Such insurance charge for the entire term of the loan shall be paid within 25 days after the date the Commissioner acknowledges receipt to the insured institution of the report of loan. *Provided,* That on loans having a maturity in excess of 3 years and 32 days, such charge may be paid in installments, the first of which shall be equal to the charge for 3 years and be paid within said 25 days, and the second and succeeding installments, each equal to the charge for 1 year, shall be paid on the first and each succeeding anniversary of the first day of the month following the date of the note.

(c) *Notes transferred.* Any adjustments of the insurance charge already paid on any obligation transferred between insureds shall be made by the insureds, except that any unpaid installments of the insurance charge shall be paid by the purchasing insured.

(d) *Refund or abatement.* There shall be no refund or abatement of any portion or installment of the insurance charge except:

(1) The charge on a refinanced note may be credited with the unearned portion of the charge on the original note;

(2) Insurance charges falling due after claim is filed or the note is prepaid in full;

(3) The charge paid on a loan or portion thereof found to be ineligible.

(e) *When not chargeable to borrower* The insurance charge paid by the insured shall not be charged to the borrower if such charge would cause the total payments made by the borrower to exceed the maximum permissible amount which may be charged to the borrower for interest, discount, and all other charges in connection with the transaction.

§ 201.14 *Administrative reports and examination.* The Commissioner, or his authorized representative, may at any time call upon an insured for such reports as he may deem to be necessary in connection with the regulations in this part, or may inspect the books or accounts of the insured as they pertain to the loans reported for insurance.

§ 201.15 *Amendments.* The regulations in this part may be amended by the Commissioner at any time, but such amendment shall not adversely affect the insurance privileges of an insured with respect to any loan previously made.

§ 201.16 *Effective date.* The regulations in this part are effective as to all loans made on and after October 1, 1954, except that § 201.11 (c) (2) and § 201.11 (e) (4) shall be effective as to all claims paid on and after October 1, 1954, and § 201.12 (c) shall be effective as to all adjustments made after October 1, 1954.

Issued at Washington, D. C., September 17, 1954.

NORMAN P MASON,
*Federal Housing Commissioner*

[F R. Doc. 54-7424; Filed, Sept. 20, 1954; 8:51 a. m.]

# TITLE 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

### Subchapter B—Trade Practice Conference Rules

[File No. 21-170]

### PART 27—SOUTHERN MIXED FEED MANUFACTURERS

### RECISSION OF PART

Whereas, the Commission on July 29, 1931, promulgated trade practice rules for Southern Mixed Feed Manufacturers which were codified in the Code of Federal Regulations (16 CFR Part 27), and

Whereas, it appears that the rules for this industry are general in form and in some respects obsolete, and that the group for which the rules were promulgated is no longer active as an organized segment of the nation-wide mixed feed manufacturing industry; and

Whereas, under the circumstances proceedings for revision of the rules for this industry do not appear to be essential to the public interest:

*It is ordered,* That the said rules be and the same are hereby rescinded.

Issued: September 16, 1954.

By the Commission.

[SEAL] ROBERT M. PARRISH,
*Secretary.*

[F R. Doc. 54-7403; Filed, Sept. 20, 1954; 8:50 a. m.]

# TITLE 32—NATIONAL DEFENSE

## Chapter V—Department of the Army

### Subchapter F—Personnel

### PART 571—RECRUITING AND ENLISTMENTS

### QUALIFICATIONS FOR ENLISTMENT; PERIODS AND GRADES

Sections 571.2 (c) (1) and 571.3 (a) (3) (iii) are rescinded and the following substituted therefor:

§ 571.2 *Qualifications for enlistment.* * * *

(c) *Educational requirements for women*—(1) *Nonprior service.* Women with prior military service (including those whose only service has been in the WAAC) must possess a certificate of graduation from high school or must present substantiating data that they have successfully completed the high school level General Educational Development (GED) test. Recruiting personnel will not administer this test but will advise applicants to communicate with the appropriate State Department of Education for information concerning the GED test.

* * * * *

§ 571.3 *Periods and grades*—(a) *Periods of enlistment.* * * *

(3) * * *

(iii) Individuals discharged as a result of resignation from an enlistment for an unspecified period, prior to completion of at least six years of such enlistment, will not be reenlisted at a later date in the grade held at time of discharge. Reenlistment grade and date of rank for such persons will be determined under pertinent special regulations. An individual who has completed at least six years in an unspecified period enlistment, and who is separated by reason of unconditional resignation, is eligible to reenlist in the Regular Army within 3 months from date of separation in the permanent and temporary grade held at time of separation, provided otherwise qualified.

* * * * *

[Cl, AR 615-120, Aug. 27, 1954] (R. S. 161; 5 U. S. C. 22)

[SEAL] JOHN A. KLEIN,
*Major General, U S. Army,*
*The Adjutant General.*

[F R. Doc. 54-7395; Filed, Sept. 20, 1954; 8:49 a. m.]

# TITLE 32A—NATIONAL DEFENSE, APPENDIX

## Chapter I—Office of Defense Mobilization

[Defense Mobilization Order I–11]

DMO I–11 DELEGATION OF AUTHORITY TO ISSUE PAYMENT CERTIFICATES UNDER SECTION 168 (g) OF THE INTERNAL REVENUE CODE OF 1954.

By virtue of the authority vested in me by Executive Order 10480, dated August 14, 1953, and pursuant to ODM Regulation No. 2, dated August 31, 1954, my authority to issue Payment Certificates under section 168(g) of the Internal Revenue Code of 1954 (formerly section 124A(g)) in regard to payments for the unamortized cost of emergency facilties, is hereby delegated to:

(1) The Secretary of Defense in regard to such payments authorized by the Secretary or his designees.

(2) The Administrator of General Services in regard to such payments authorized by the Administrator or his designees.

This order shall take effect on August 31, 1954.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
*Director*

[F. R. Doc. 54–7423; Filed, Sept. 17, 1954; 3: 27 p. m.]

# TITLE 33—NAVIGATION AND NAVIGABLE WATERS

## Chapter I—Coast Guard, Department of the Treasury

PART 19—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS

EIGHT-HOUR DAY ON GREAT LAKES' TUGS

CROSS-REFERENCE: For revocation of § 19.19 *Eight-hour day on tugs navigating the Great Lakes and tributary waters* see F R. Doc. 54–7393, Title 46, Chapter I, Part 154, *infra*.

# TITLE 43—PUBLIC LANDS: INTERIOR

## Chapter I—Bureau of Land Management, Department of the Interior

Appendix C—Public Land Orders

[Public Land Order 1009]

OREGON

WITHDRAWING PUBLIC LANDS AS MATERIAL SITE AND FOR TIMBER ACCESS ROAD

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights the hereinafter described public lands and revested and reconveyed Oregon and California Railroad Grant lands in Oregon are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral-leasing laws, and reserved for use of the Department of the Interior for the following purposes:

a. As a source of materials for road construction for the Smith River access road:

WILLAMETTE MERIDIAN

T. 19 S., R. 9 W.,
Sec. 23, N½.

The tract described contains 320 acres.

b. For the location of a right-of-way for the proposed Canton Creek timber access road:

WILLAMETTE MERIDIAN

T. 24 S., R. 1 W.,
Sec. 9;
Sec. 10, SW¼,
Secs. 15, 23, 25, and 35.
T. 25 S., R. 1 W.,
Secs. 11 and 23;
Sec. 24, S½NW¼, N½SW¼, S½S½,
Sec. 25.
T. 25 S., R. 1 E.,
Sec. 31, E½W½ and lots 1, 2, 3, and 4.

The tracts described contain 5,892.83 acres.

This order shall be subject to existing withdrawals for power site and national forest purposes so far as they affect any of the lands.

FRED G. AANDAHL,
*Acting Secretary of the Interior*

SEPTEMBER 14, 1954.

[F. R. Doc. 54–7379; Filed, Sept. 20, 1954; 8:45 a. m.]

[Public Land Order 1010]

WASHINGTON

PARTIALLY REVOKING EXECUTIVE ORDER NO. 1661 OF DECEMBER 12, 1912, RESERVING LANDS WITHIN TOWNSITE OF PORT ANGELES FOR GOVERNMENT USE

SEPTEMBER 15, 1954.

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, and the act of March 16, 1912, c. 60 (37 Stat. 74) it is ordered as follows:

Executive Order No. 1661 of December 12, 1912, reserving certain lands within the Townsite of Port Angeles, Washington, for various specified uses of the Government, which was revoked in part by Public Land Order No. 635 of March 18, 1950, is hereby revoked so far as it affects the following-described land:

WILLAMETTE MERIDIAN

T. 30 N., R. 6 W.,
Port Angeles Townsite, Block 32, Lot 22, as shown on the supplemental plat of survey accepted October 18, 1949.

The area described contains 2,000 square feet.

FRED G. AANDAHL,
*Acting Secretary of the Interior*

[F. R. Doc. 54–7381; Filed, Sept. 20, 1954; 8:46 a. m.]

# TITLE 45—PUBLIC WELFARE

## Chapter V—Foreign Claims Settlement Commission of the United States

Subchapter C—Appeals and Hearings

PART 515—APPEALS

REHEARING AND REARGUMENT

Section 515.35 is hereby amended to read as follows:

§ 515.35 *Rehearing and reargument.* Any party desiring a rehearing, reargument, or any relief not specifically covered by this part, may file a petition with the Commission within ten (10) days if a resident within the continental United States, or within thirty (30) days if outside the continental United States, after date of the decision, stating the relief sought and the reasons in support thereof. New evidence in support of the petition must be attached thereto. The Commission may deny or allow the petition in whole or in part, as it deems proper.

This amendment shall become effective as of the date of filing with the FEDERAL REGISTER.

(Sec. 2, 62 Stat. 1240, 50 U. S. C. App. 2001)

WHITNEY GILLILLAND,
*Chairman, Foreign Claims Settlement Commission of the United States.*

[F R. Doc. 54–7428; Filed, Sept. 20, 1954; 8:53 a. m.]

# TITLE 46—SHIPPING

## Chapter I—Coast Guard, Department of the Treasury

Subchapter O—Regulations Applicable to Certain Vessels During Emergency

[CGFR 54–37]

PART 154—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS [1]

EIGHT-HOUR DAY ON GREAT LAKES' TUGS

The purpose of this order is to cancel, effective December 1, 1954, the general waiver designated 46 CFR 154.19, as well as 33 CFR 19.19, regarding eight-hour day for working hours of officers and crews on tugs navigating the Great Lakes or tributary waters. It has been determined upon investigation that this general waiver of section 2 of the act of March 4, 1915, as amended (46 U. S. C. 673) is no longer necessary in the interests of national defense. It is hereby found that compliance with the notice of proposed rule making and public rule making procedure thereon provided in the Administrative Procedure Act is unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by an order of the Acting Secretary of the Treasury dated January 23, 1951, identified as CGFR 51–1 and pub-

[1] This is also codified in 33 CFR Part 19.

lished in the FEDERAL REGISTER dated January 26, 1951 (16 F R. 731) the waiver order designated § 154.19 *Eight-hour day on tugs navigating the Great Lakes and tributary waters* as well as 33 CFR 19.19, is revoked effective December 1, 1954.

(Secs. 1, 2, 64 Stat. 1120; 46 U. S. C. note prec. 1)

Dated: September 15, 1954.

[SEAL] A. C. RICHMOND,
*Vice Admiral, U. S. Coast Guard, Commandant.*

[F. R. Doc. 54-7393; Filed, Sept. 20, 1954; 8:48 a. m.]

## TITLE 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

[Docket No. 3666; Order 15]

PARTS 71-78—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

SPECIFICATION CONTAINERS PRESCRIBED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 9th day of June 1954.

It appearing, that pursuant to the Transportation of Explosives Act of March 4, 1921 (41 Stat. 1444) sections 831-835 of Title 18 of the United States Code approved June 25, 1948, and Part II of the Interstate Commerce Act, as amended, the Commission has heretofore formulated and published certain regulations for the transportation of explosives and other dangerous articles.

It further appearing, that due to reorganization of certain bureaus of the Commission, it is deemed necessary to amend the aforesaid regulations.

*It is ordered,* That the aforesaid regulations for the transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

Amend § 73.22 (a) (1) (15 F R. 8276, Dec. 2, 1950) (49 CFR 73.22, 1950 Rev.) to read as follows:

§ 73.22 *Specification containers prescribed.* (a) * * *

(1) Because of the present emergency and until further order of the Commission, containers approved for emergency or experimental shipments may be authorized in the discretion of, and upon special permit to be issued by the Director or Acting Director, Bureau of Safety and Service, Washington, D. C.

* * * * *

*It is further ordered,* That the foregoing amendments to the aforesaid regulations shall have full force and effect on June 1, 1954, and that such regulations as herein amended shall thereafter be observed until further order of the Commission.

*It is further ordered,* That compliance with the aforesaid regulations as herein amended is hereby authorized on and after the date of service of this order.

*And it is further ordered,* That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of Federal Register.

(Sec. 204, 49 Stat. 546, as amended, sec. 835, 62 Stat. 739; 49 U. S. C. 304, 18 U. S. C. Sup., 835)

By the Commission, Division 3.

[SEAL] GEORGE W LAIRD,
*Secretary.*

[F R. Doc. 54-7386; Filed, Sept. 20, 1954; 8:47 a. m.]

# PROPOSED RULE MAKING

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

### [ 21 CFR Part 19 ]

CHEESES; PROCESSED CHEESES; CHEESE FOODS; CHEESE SPREADS; AND RELATED FOODS; DEFINITIONS AND STANDARDS OF IDENTITY

NOTICE OF PROPOSALS TO AMEND DEFINITIONS AND STANDARDS OF IDENTITY

In the matter of amending the definitions and standards of identity for cheeses, processed cheeses, cheese foods, cheese spreads, and related foods as hereinafter specified:

Notice is hereby given that petitions have been filed by United Cheese Company, Inc., Chicago, Illinois, and by Swift and Company Chicago, Illinois, setting forth proposals to amend specified sections of the definitions and standards of identity for cheeses, processed cheeses, cheese foods, cheese spreads, and related foods. Pursuant to the authority of the Federal Food, Drug, and Cosmetic Act (sec. 401, 52 Stat. 1046, 21 U. S. C. 341, as amended by 68 Stat. 54) the Secretary of Health, Education, and Welfare invites all interested persons to present their views in writing regarding the proposals published herein and to submit such comments in quintuplicate prior to the thirtieth day following the publication of this notice in the FEDERAL REGISTER. Written comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, Health, Education, and Welfare Building, Washington 25, D. C.

The proposal submitted by United Cheese Company Inc., is as follows:

Sorbic acid shall be permitted as an optional ingredient, in an amount not to exceed 0.2 percent of the food by weight, in each of the following foods:

§ 19.500 Cheddar cheese, cheese.
§ 19.502 Cheddar cheese for manufacturing.
§ 19.505 Washed curd cheese, soaked curd cheese.
§ 19.507 Washed curd cheese for manufacturing.
§ 19.510 Colby cheese.
§ 19.512 Colby cheese for manufacturing.
§ 19.535 Granular cheese, stirred curd cheese.
§ 19.537 Granular cheese for manufacturing.
§ 19.540 Swiss cheese, emmentaler cheese.
§ 19.542 Swiss cheese for manufacturing.
§ 19.543 Gruyere cheese.
§ 19.545 Brick cheese.
§ 19.547 Brick cheese for manufacturing.
§ 19.550 Muenster cheese, munster cheese.
§ 19.580 Monterey cheese.
§ 19.585 High-moisture jack cheese.
§ 19.590 Provolone cheese, pasta filata cheese.
§ 19.591 Caciocavallo siciliano cheese.
§ 19.615 Asiago fresh cheese, asiago soft cheese.
§ 19.655 Semisoft cheeses.
§ 19.660 Semisoft part-skim cheeses.
§ 19.750 Pasteurized process cheese.
§ 19.751 Pasteurized blended cheese.
§ 19.755 Pasteurized process cheese with fruits, vegetables, or meats.
§ 19.760 Pasteurized process pimento cheese.
§ 19.763 Pasteurized blended cheese with fruits, vegetables, or meats.
§ 19.765 Pasteurized process cheese food.
§ 19.770 Pasteurized process cheese food with fruits, vegetables, or meats.
§ 19.775 Pasteurized process cheese spread.

When sorbic acid is present in the food, the label shall bear the statement, "Sorbic acid added to retard spoilage" or "Sorbic acid added as a preservative." Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statement above specified, showing the presence of the optional ingredient sorbic acid, shall immediately and conspicuously precede or follow such name, without intervening written printed, or graphic matter.

The proposal submitted by Swift and Company is as follows:

1. Amend § 19.750 *Pasteurized process cheese* * * * as follows:

a. The last sentence of paragraph (a) (1) is amended to read as follows: "One or more of the optional ingredients designated in paragraph (d) (1) (2) (3) (4) (5) (6) and (7) of this section may be used."

b. Paragraph (d) is amended by adding at the end thereof the following subparagraph:

(7) Sodium propionate, calcium propionate, or a combination of sodium propionate and calcium propionate, in a quantity not in excess of 0.3 percent by weight of the pasteurized process cheese.

2. In § 19.765 *Pasteurized process cheese food* * * * paragraph (c) is amended by adding thereto the following subparagraph:

(7) Sodium propionate, calcium propionate, or a combination of sodium propionate and calcium propionate, in a quantity not in excess of 0.3 percent by

weight of the pasteurized process cheese food.

3. In § 19.785 *Cold-pack cheese, club cheese, comminuted cheese* * * * paragraph (c) is amended by adding thereto the following subparagraph:

(6) Sodium propionate, calcium propionate, or a combination of sodium propionate and calcium propionate, in a quantity not in excess of 0.3 percent by weight of the finished cold-pack cheese.

4. In § 19.787 *Cold-pack cheese food* * * * paragraph (e) is amended by adding the following subparagraph:

(7) Sodium propionate, calcium propionate, or a combination of sodium propionate and calcium propionate, in a quantity not in excess of 0.3 percent by weight of the finished cold-pack cheese food.

The foregoing proposals would change the standards cited in the following respects:

They would permit the addition of sodium propionate, calcium propionate, or a combination of sodium propionate and calcium propionate, in a quantity not in excess of 0.3 percent by weight of the finished food in:

§ 19.750 Pasteurized process cheese.
§ 19.751 Pasteurized blended cheese.
§ 19.755 Pasteurized process cheese with fruits, vegetables, or meats.
§ 19.760 Pasteurized process pimento cheese.
§ 19.763 Pasteurized blended cheese with fruits, vegetables, or meats.
§ 19.765 Pasteurized process cheese food.
§ 19.770 Pasteurized process cheese food with fruits, vegetables, or meats.
§ 19.785 Cold-pack cheese, club cheese, comminuted cheese.
§ 19.787 Cold-pack cheese food.
§ 19.788 Cold-pack cheese food with fruits, vegetables, or meats.

Dated: September 15, 1954.

[SEAL] NELSON A. ROCKFELLER,
*Acting Secretary.*

[F. R. Doc. 54-7394; Filed, Sept. 20, 1954; 8:48 a. m.]

# DEPARTMENT OF AGRICULTURE

## Agricultural Marketing Service

[P. & S. Docket No. 308]

MARKET AGENCIES AT SIOUX CITY STOCK YARDS, SIOUX CITY, IOWA

NOTICE OF PETITION FOR MODIFICATION OF RATE ORDER

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.) an order was issued on June 26, 1953 (12 A. D. 768) authorizing the respondents to modify temporarily their schedule of rates and charges in certain respects and to assess the modified schedule to and including June 30, 1955, unless changed by further order before the latter date.

By petition filed on September 9, 1954, respondents have requested authority to modify the current schedule of rates and charges in certain respects and to continue assessing the current schedule as so modified to and including June 30, 1956. The modifications requested are as follows:

SECTION A

| | Present rate per head | Proposed rate per head |
|---|---|---|
| Cattle: | | |
| Consignments of 1 head and 1 head only. | $1.40 | $1.50 |
| Consignments of more than 1 head: | | |
| First 5 head in each consignment | 1.15 | 1.20 |
| Next 10 head in each consignment. | 1.10 | 1.15 |

SECTION C

| | | |
|---|---|---|
| Sheep: | | |
| Consignments of 1 head and 1 head only. | $0.50 | $0.60 |
| Consignments of more than 1 head: | | |
| First 10 head in each 225 head in each consignment | .38 | .40 |
| Next 20 head in each 225 head in each consignment | .31 | .33 |
| Next 30 head in each 225 head in each consignment | .25 | .27 |
| Next 40 head in each 225 head in each consignment | .16 | .18 |
| Next 125 head in each 225 head in each consignment | .10 | .12 |

The proposed rates and charges, if authorized, will produce additional revenue for the respondent market agencies and increase the cost of marketing livestock. It appears, therefore, that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Done at Washington, D. C., this 15th day of September, 1954.

[SEAL] AGNES B. CLARKE,
*Hearing Clerk.*

[F R. Doc. 54-7376; Filed, Sept. 20, 1954; 8:45 a. m.]

## [ 7 CFR Part 939 ]

BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

EXPENSES AND THE FIXING OF RATE OF ASSESSMENT FOR 1954-55 FISCAL PERIOD

Consideration is being given to the following proposals which were submitted by the Control Committee, established under the marketing agreement, as amended, and Order No. 39, as amended (7 CFR Part 939) regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed $23,165.00 are likely to be incurred by said committee during the fiscal period beginning July 1, 1954, and ending June 30, 1955, both dates inclusive, for its maintenance and functioning under the aforesaid amended marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the pro rata share of such expenses which each handler shall pay in accordance with the provisions of the aforesaid amended marketing agreement and order during the aforesaid fiscal period, the rate of assessment at seven mills ($0.007) per standard western pear box of pears or its equivalent of pears in other containers or in bulk, shipped by such handler during said fiscal period.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so by mailing the same to the Director, Fruit and Vegetable Division, Agricultural Marketing Service, Room 2077, South Building, Washington 25, D. C., not later than the 10th day after the publication of this notice in the FEDERAL REGISTER.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 16, 1954.

[SEAL] G. R. GRANGE,
*Acting Director Fruit and Vegetable Division, Agricultural Marketing Service.*

[F. R. Doc. 54-7393; Filed, Sept. 20, 1954; 8:49 a. m.]

# FEDERAL TRADE COMMISSION

## [ 16 CFR Part 302 ]

[File No. 205-4]

RULES AND REGULATIONS UNDER FLAMMABLE FABRICS ACT

REASONABLE AND REPRESENTATIVE TESTS OF CERTAIN TEXTILE FABRICS

Notice is hereby given all interested parties that the Federal Trade Commission will on the 7th day of October 1954, at its offices in the City of Washington, District of Columbia, give consideration to an amendment of Rule 7 (a) (2) of the regulations under the Flammable Fabrics Act.

Interested parties may participate by submitting in writing to the Commission on or before such date, their views, arguments or other pertinent data.

Such action is taken pursuant to the authority given the Federal Trade Commission under section 5 (c) of the Flammable Fabrics Act (Pub. Law 88, 83d Cong., Ch. 164, 1st Sess., 67 Stat. 111) "to prescribe such rules and regulations as may be necessary and proper for purposes of administration and enforcement of this Act."

The matters to be considered are an amendment of § 302.7 (a) (2) (i) (Rule 7 (a) (2) (i)) which would hereafter read:

(i) When, on the initial test of any plain surface textile fabric weighing less than two ounces per square yard, such fabric exhibits a burning time of between 3½ and 6 seconds, both inclusive, such test may suffice for any fabric of the same fiber composition, construction and finish type. This class of fabric shall be tested at intervals of not more than three months thereafter while in production.

and the addition of a new subdivision (iv) to § 302.7 (a) (2) (Rule 7 (a) (2)) to read:

(iv) When, on the initial test of any plain surface textile fabric weighing less than two ounces per square yard, such fabric ignites but the flame is extinguished before the stop card is burned, such test may suffice for any fabric of the same fiber composition, construction and finish type. This class of fabric shall be tested at least once at intervals of not more than one year thereafter while in production.

Issued: September 17, 1954.

By direction of the Commission.

[SEAL] ROBERT M. PARRISH,
*Secretary.*

[F. R. Doc. 54-7404; Filed, Sept. 20, 1954; 8:51 a. m.]

# NOTICES

## DEPARTMENT OF COMMERCE

### Office of the Secretary

JACOB RABINOW

GRANT OF LICENSE UNDER FOREIGN PATENT

Under the authority of Executive Order 9865, as amended by Executive Order 10096, and pursuant to delegation of authority from the Chairman, Government Patents Board, contained in § 302.5 (a) of Administrative Order Number 7 of June 24, 1954 (19 F R. 3938), I determine and proclaim it to be inconsistent with the public interest to issue, on a non-exclusive basis, a license under United Kingdom Patent No. 649553. After careful consideration, I have found that the grant of an exclusive royalty-free license to one Jacob Rabinow, under the said United Kingdom Patent No. 649553, would be consistent with the public interest. This determination is made after careful consideration upon the basis of the offer of several reciprocal commitments by Rabinow, including an offer to grant licenses to the United States Government under a substantial number of existing patents and future patents to be obtained on improvements, and a finding that grant of an exclusive license to Rabinow may support defense production.

I therefore have designated and authorized John Cawley Green, an official of the Department of Commerce, to execute an exclusive royalty-free license to said Rabinow under terms and conditions deemed appropriate in pursuance of this determination.

Dated: September 14, 1954.

WALTER WILLIAMS,
*Acting Secretary of Commerce.*

Approved:

ARCHIE M. PALMER,
*Chairman, Government Patents Board.*

[F. R. Doc. 54-7390; Filed, Sept. 20, 1954; 8:48 a. m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

OIL AND GAS LEASE OFFER

OUTER CONTINENTAL SHELF OFF TEXAS

SEPTEMBER 17, 1954.

Pursuant to section 8 of the Outer Continental Shelf Lands Act (67 Stat. 462) and the regulations issued thereunder (43 CFR Part 201) sealed bids addressed to the Director, Bureau of Land Management, Washington 25, D. C., will be received on or before November 9, 1954, at 11 a. m., e. s. t., for the lease of oil and gas in certain areas of the outer Continental Shelf, Gulf of Mexico, adjacent to the State of Texas. Bids will be opened in the Office of the Director. Bids received by mail or delivered in person after the above specified time will not be considered.

All bids must be submitted in accordance with applicable regulations, particularly 43 CFR 201.20, 201.21, and 201.22. Bidders are warned against violation of section 1860, Title 18, U. S. Code, prohibiting unlawful combination or intimidation of bidders. Bidders must submit with each bid one-fifth of the amount bid in cash or by cashier's check, bank draft, certified check, or money order payable to the order of the Bureau of Land Management. The leases will provide for a royalty rate of one-sixth, and a rental or minimum royalty of $3 per acre or fraction thereof.

Bids will be considered on the basis of the highest cash bonus offered for a tract but no total bid amounting to less than $15 per acre will be considered. Oil payment, overriding royalty logarithmic or sliding scale bids will not be considered. No bid for less than a full tract, as listed below, will be considered. The tract numbers shown are assigned only for the purposes of this sale and are not the same as block numbers designated on the official leasing map. A separate bid, in a separate sealed envelope, must be submitted for each tract. The envelope should be endorsed "Sealed bid for oil and gas lease, Texas (insert number of tract) not to be opened until 11 a. m., e. s. t., November 9, 1954." The right is reserved to reject any or all bids. The tracts offered for bid are as follows:

MUSTANG ISLAND OFFICIAL LEASING MAP NO. 3

| Tract No. | Acreage | Block | Description |
|---|---|---|---|
| Texas 1 | 5,613.73 | 725 | All |
| Texas 2 | 5,582.96 | 726 | All |
| Texas 3 | 5,552.01 | 727 | All |
| Texas 4 | 5,760 | 741 | All |
| Texas 5 | 5,760 | 742 | All |
| Texas 6 | 5,760 | 743 | All |

MATAGORDA ISLAND OFFICIAL LEASING MAP NO. 4

| | | | |
|---|---|---|---|
| Texas 7 | 5,760 | 716 | All |
| Texas 8 | 5,760 | 717 | All |
| Texas 9 | 2,880 | 718 | E½ |

HIGH ISLAND OFFICIAL LEASING MAP NO. 7

| Tract No. | Acreage | Block | Description |
|---|---|---|---|
| Texas 10 | 1,440 | 33 | SW¼ |
| Texas 11 | 1,440 | 33 | SE¼ |
| Texas 12 | 1,440 | 51 | NE¼ |
| Texas 13 | 1,440 | 51 | NW¼ |
| Texas 14 | 1,440 | 51 | SW¼ |
| Texas 15 | 1,440 | 51 | SE¼ |
| Texas 16 | 1,440 | 52 | NE¼ |
| Texas 17 | 1,440 | 52 | NW¼ |
| Texas 18 | 1,440 | 52 | SW¼ |
| Texas 19 | 1,440 | 52 | SE¼ |
| Texas 20 | 1,440 | 53 | SW¼ |
| Texas 21 | 1,440 | 53 | SE¼ |
| Texas 22 | 1,440 | 67 | NE¼ |
| Texas 23 | 1,440 | 67 | NW¼ |
| Texas 24 | 1,440 | 67 | SW¼ |
| Texas 25 | 1,440 | 67 | SE¼ |
| Texas 26 | 1,440 | 68 | NE¼ |
| Texas 27 | 1,440 | 68 | NW¼ |
| Texas 28 | 1,440 | 68 | SW¼ |
| Texas 29 | 1,440 | 68 | SE¼ |
| Texas 30 | 1,440 | 69 | NE¼ |
| Texas 31 | 1,440 | 69 | NW¼ |
| Texas 32 | 1,440 | 69 | SW¼ |
| Texas 33 | 1,440 | 69 | SE¼ |
| Texas 34 | 5,760 | 108 | All |
| Texas 35 | 5,760 | 109 | All |
| Texas 36 | 5,760 | 139 | All |
| Texas 37 | 5,760 | 140 | All |
| Texas 38 | 5,760 | 156 | All |

Bidders are requested to submit their bids in the following form:

Director,
Bureau of Land Management,
Department of the Interior,
Washington 25, D. C.

OIL AND GAS BID

The following bid is submitted for an oil and gas lease on land of the outer Continental Shelf specified below:

Area _____ Official Leasing Map No. _____

| Tract No. | Total amount bid | Amount per acre | Amount submitted with bid |
|---|---|---|---|
| | | | |

_____
(Signature)

_____
(Address)

*Important.* The bid must be accompanied by one-fifth of the total amount bid. This amount may be in cash, money order, cashier's check, certified check, or blank draft.

A separate bid must be made for each tract.

EDWARD WOOZLEY,
*Director*

[F R. Doc. 54-7420; Filed, Sept. 20, 1954; 8:53 a. m.]

## Office of the Secretary

OREGON

NOTICE FOR FILING OBJECTIONS TO ORDER WITHDRAWING PUBLIC LANDS AS MATERIAL SITE AND FOR TIMBER ACCESS ROAD [1]

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

FRED G. AANDAHL,
*Acting Secretary of the Interior*

SEPTEMBER 14, 1954.

[F. R. Doc. 54-7380; Filed, Sept. 20, 1954; 8:45 a. m.]

# FEDERAL POWER COMMISSION

[Docket No. G-2583]

SOUTHERN PRODUCTION CO., INC.

NOTICE OF APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

SEPTEMBER 15, 1954.

Take notice that Southern Production Company, Inc. (Applicant) a Delaware corporation with its principal office in Fort Worth, Texas, filed, on August 27, 1954 (under protest) an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, and the Commission's order issued August 6, 1954 (No. 174-A) authorizing Applicant to sell natural gas, subject to the jurisdiction of the Commission, all as more fully represented in its application.

The application recites that Applicant produces gas from the (1) Logansport Field and Joaquin Field, De Soto Parish, Louisiana, and Shelby County, Texas, (2) Duck Lake Field and Lake Sand Field in Iberia, St. Martin and St. Mary Parishes, Louisiana, (3) Carthage Field, Pamola County, Texas, (4) Akron Field in Washington, and Yuma Counties, Colorado, (5) Gibson Field in Terrebonne Parish, Louisiana, (6) Baxterville Field in Marion, and Lamar Counties, Mississippi, (7) Soso Field in Jones County, Mississippi, (8) Otstot Field in Kay County, Oklahoma, (9) Barnhart Field in Reagan County· Kelly-Snyder Field (Sacroc Unit) in Scurry County· North Lansing Field in Harrison County· Panhandle Field in Hutchinson County· Rudman Field in Bee County· Waskom Field in Harrison County· and Willow Springs Field in Gregg County· all in Texas.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 6th day of October 1954. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
*Secretary.*

[F. R. Doc. 54-7382; Filed, Sept. 20, 1954; 8:46 a. m.]

[1] See Title 43, Chapter I, Appendix C, PLO 1009, *supra.*

# CIVIL AERONAUTICS BOARD

[Order No. E-8632]

PAN AMERICAN WORLD AIRWAYS, INC. ET AL.

IATA CONDITIONS OF CARRIAGE FOR PASSENGERS AND CARGO; MISCELLANEOUS AMENDMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 16th day of September 1954.

In the matter of certain resolutions adopted at the Traffic Conference Meetings of the International Air Transport Association (I. A. T. A.) at Honolulu between Pan American World Airways, Inc. various air carriers, foreign carriers, and other carriers relating to conditions of carriage and related traffic regulations. Agreement C. A. B. No. 7648 R-18, 81, 82 and 107 Agreement C. A. B. No. 2698 R-23 et al. (Order No. E-3230)

Order No. E-8543, issued August 5, 1954, among other matters, made a tentative finding that approval of Article 18 (5) of the Conditions of Carriage—Passengers and Baggage and continued approval of Article 4 (d) of Conditions of Contract—Passenger Ticket would be adverse to the public interest in that the limitations of liability for loss or damage to baggage was unreasonably low and that the minimum should be raised at least to the levels set forth in the Warsaw Convention. It now appears that there is in effect a resolution, Baggage Excess Value Charge (120/312, 240/312, 330/312, and JT 123(2)/312)[1] by which the carriers in effect agree to impose the same limitations as the Conditions of Carriage—Passengers and Baggage and Conditions of Contract—Passenger Ticket. Continued approval of Resolution 312, insofar as it applies to air transportation as defined in the act, would similarly appear to be adverse to the public interest and in violation of the act.

It further appears that Paragraph E-3 of the Appendix to Order No. E-8543 contains a typographical error in that it refers to Article 19 (4) and (5) of Conditions of Carriage—Passengers and Baggage, rather than Article 18 (4) and (5), the correct reference.

*Accordingly, it is ordered,* That:

1. Order No. E-8543 be amended:

(a) By changing "19 (4) and (5)" in Paragraph E of the Appendix to "18 (4) and (5) "

(b) By adding Paragraph H to the Appendix to read as follows:

H. *Baggage Excess Value Charge (120/312, 240/312, 330/312, JT 123 (2)/312 as previously approved by Orders Nos. E-2452, E-2453, E-2454 and E-2455)* Insofar as the provisions of this resolution apply in air transportation, continued approval thereof appears to be adverse to the public interest and in violation of the Act for the reasons stated with respect to Article 18 (5) of Conditions of Carriage — Passengers and Baggage.

(c) By changing "and F-3" in numbered Paragraph 2 of the tentative conclusions to "F-3 and H."

2. Copies of this order be served on all air carrier parties to this agreement.

3. This order be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
*Secretary.*

[F R. Doc. 54-7396; Filed, Sept. 20, 1954; 8:49 a. m.]

[Docket No. 6050]

BRANIFF AIRWAYS, INC., CERTIFICATES RENEWAL, ROUTE NO. 106

NOTICE OF ORAL ARGUMENT

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on October 14, 1954, at 10:00 a. m. in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., September 15, 1954.

[SEAL] FRANCIS W BROWN,
*Chief Examiner*

[F. R. Doc. 54-7397; Filed, Sept. 20, 1954; 8:49 a. m.]

[1] Approved by Orders Nos. E-2452, E-2453, E-2454, and E-2455, issued February 10, 1949.

# OFFICE OF DEFENSE MOBILIZATION

[ODM (DPA) Request 26—DPAV-34 (d)]

AUTO SPECIALITIES MFG. CO., INC., ET AL.

ADDITION TO LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE IN ACTIVITIES OF AN ARMY ORDNANCE INTEGRATION COMMITTEE ON CONVENTIONAL ARTILLERY AND MORTAR SHELL

Pursuant to section 708 of the Defense Production Act of 1950, as amended, there are herewith published the following additions to the list of companies which have accepted the request to participate in the activities of an Army Ordnance Integration Committee on Conventional Artillery and Mortar Shell in accordance with the voluntary plan entitled, "Plan and Regulations of Ordnance Corps Governing the Integration

Committee on Conventional Artillery and Mortar Shell," dated September 28, 1951, as amended. The request to participate in the amended voluntary plan and a list of companies accepting such request were published in 19 F R. 962, on February 18, 1954. An additional list of acceptances was published in 19 F R. 3448, on June 11, 1954.

ACCEPTANCES

Auto Specialties Manufacturing Co., Inc., 643 Graves Street, Saint Joseph, Mich.

The Central Foundry Company, Holt, Ala.

Cribben and Sexton Company, 700 North Sacramento Boulevard, Chicago 12, Ill.

Doehler Metal Furniture Co., Inc., 192 Lexington Avenue, New York 16, N. Y.

Kilgore, Inc., Westerville, Ohio.

Kwikset Locks, Inc., 516 East Santa Ana Street, Anaheim, Calif.

Pressed Steel Car Co., Inc., Rockford Ordnance Division, Rockford, Ill.

The Yoder Company, 5500 Walworth Avenue, Cleveland 2, Ohio.

(Sec. 708, 64 Stat. 818, as amended; 50 U. S. C. App. Sup. 2158; E. O. 10480, August 14, 1953, 18 F. R. 4939)

Dated. September 16, 1954.

ARTHUR S. FLEMMING,
*Director*

[F. R. Doc. 54-7421; Filed, Sept. 17, 1954; 12:31 p. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 811-417]

AMERICAN ANNUITY SAVINGS ASSOCIATION

NOTICE OF FILING OF APPLICATION FOR ORDER DECLARING THAT COMPANY HAS CEASED TO BE INVESTMENT COMPANY

SEPTEMBER 14, 1954.

Notice is hereby given that American Annuity Savings Association ("American Annuity") East Lansing, Michigan, a Michigan corporation and a registered face-amount certificate company, has filed an application pursuant to section 8 (f) of the act for an order declaring that American Annuity has ceased to be an investment company under the act.

American Annuity had outstanding $1,600,000 of face-amount certificates in or about May 1954, but the company had not sold any such securities since 1943. In order to accomplish, in effect, a change of its business to that of a life insurance company, American Annuity adopted a program providing for a successor, American Annuity Life Insurance Company ("New Company") a Michigan corporation which has since been authorized to do a life insurance business in Michigan, and which the Commission, by its order dated June 2, 1954 (Investment Company Act Release No. 1984) has exempted from the provisions of section 7 (a) of the act, subject to certain conditions.

The application states that, pursuant to the program for effecting the transition to the business of a life insurance company, the following transactions have been consummated: (1) American Annuity has transferred all its assets to New Company in exchange for the capital stock of New Company; (2) in connection with such transfer of assets, New Company has assumed all the liabilities of American Annuity including the liabilities and obligations on the face-amount certificates, and New Company has been substituted for American Annuity as a party to the agreement providing for deposit of assets with American State Savings Bank, Lansing, Michigan, in accordance with sections 28 (a) and (b) of the act; (3) the capital stock of New Company has been distributed pro-rata to the stockholders of American Annuity in exchange for the capital stock of American Annuity; and (4) the capital stock of American Annuity has been cancelled and American Annuity has been dissolved. The application also states that the foregoing program, including the transfer of assets of American Annuity and its dissolution, was approved at special meetings of the stockholders of American Annuity held on November 25, 1953 and June 12, 1954, and that American Annuity has ceased to do business of any kind.

Section 8 (f) of the act provides, in part, that whenever the Commission on application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may not later than September 29, 1954, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[F. R. Doc. 54-7313; Filed, Sept. 17, 1954; 8:45 a. m.]

---

[File No. 31-618]

ONEIDA LTD.

NOTICE OF FILING OF APPLICATION FOR EXEMPTION FROM PROVISIONS OF ACT

SEPTEMBER 15, 1954.

Notice is hereby given that Oneida Ltd. ("Oneida") has filed with this Commission an application under section 3 (a) (3) of the Public Utility Holding Company Act of 1935 ("act") for exemption from the provisions of the act.

All interested persons are referred to the application on file in the office of the Commission for a statement of the basis for the request for exemption, which is summarized below.

Oneida, a New York corporation engaged in the manufacture and sale of silver plate, sterling and stainless steel tableware, and certain defense products, contemplates the acquisition of all of the common stock (326 shares of $100 par value each) of The Sherrill-Kenwood Power & Light Company ("Sherrill-Kenwood") a New York corporation organized in June 1953 to acquire the property and assets of The Kenwood Electric Light Company ("Kenwood") a proprietorship engaged in furnishing electric service in the City of Sherrill and in parts of the City of Oneida and the Town of Vernon, contiguous communities in the State of New York in the area surrounding Oneida's manufacturing plant. Upon consummation of the contemplated transactions Sherrill-Kenwood will be an electric utility company as defined in section 2 (a) (3) of the act, and Oneida will be a holding company as defined in section 2 (a) (7) of the act.

It is stated that Oneida purchases large quantities of electric energy from Niagara Mohawk Power Company for use in its manufacturing plants and that the reason for the proposed acquisition of the common stock of Sherrill-Kenwood by Oneida is to insure the continuance of an arrangement under which Oneida, in order to procure its electric energy requirements more economically purchases electric energy in excess of its own requirements and sells the surplus to Kenwood for resale to residential customers in the area surrounding the plant of Oneida.

The application states that the net income to Oneida from charges to Kenwood when added to the net income of Kenwood, which would eventually be available to Oneida as dividends from Sherrill-Kenwood, amounts to less than 0.75 percent of Oneida's net income in any of the past five calendar years.

The New York Public Service Commission has authorized the acquisition by Sherrill-Kenwood of the property and assets of Kenwood and the issuance by Sherrill-Kenwood to, and the acquisition by Oneida of, not to exceed 326 shares of $100 par value common stock.

Notice is further given that any interested person may not later than September 30, 1954, file in writing a request that a hearing be held in respect of the above matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert, or he may request that he be notified if the Commission orders a hearing thereon. Any such request should be addressed: Secretary Securities and Exchange Commission, Washington 25, D. C. At any time after said date the Commission may grant the application, as filed or as amended, or the Commission may take such other action, including the granting of an exemption under section 3 (a) (1) of the act, in respect of the application as is deemed appropriate.

By the Commission.

ORVAL L. DUBOIS,
*Secretary.*

[F R. Doc. 54-7389; Filed, Sept. 20, 1954; 8:47 a. m.]

STANDARD GAS AND ELECTRIC CO. AND PHILADELPHIA CO.

NOTICE OF AND ORDER DENYING MOTIONS OF CERTAIN FEE APPLICANTS AND POSTPONING HEARING

SEPTEMBER 15, 1954.

In the matter of Standard Gas and Electric Company, File No. 54–72; Standard Gas and Electric Company and Philadelphia Company, File Nos. 54–191, 54–199; Philadelphia Company and Standard Gas and Electric Company, File No. 54–173.

The law firms of Guggenheimer & Untermyer of New York, New York, Guggenheimer, Untermyer, Goodrich & Amram of Washington, D. C., and Connolly, Cooch & Bove of Wilmington, Delaware (hereinafter referred to, collectively, as "Guggenheimer & Untermyer") having heretofore filed a joint application for an allowance of fees and expenses in connection with services rendered in the above-entitled proceedings filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") by Standard Gas and Electric Company ("Standard Gas") and its subsidiary, Philadelphia Company ("Philadelphia") both registered holding companies, to enable Standard Gas and Philadelphia to effectuate compliance with section 11 (b) of the act;

Standard Gas having filed on May 5, 1954, a motion requesting that the Commission require separate statements and evaluations of services by Guggenheimer & Untermyer as a supplement to the aforesaid joint application and Guggenheimer & Untermyer on May 27, 1954, having filed their answer to the aforesaid motion by Standard Gas and a cross-motion requesting that the Commission require the filing by Standard Gas of a detailed responsive pleading and for other relief;

By order dated September 3, 1954 (Holding Company Act Release No. 12643) the Commission having granted, in part, the cross-motion filed by Guggenheimer & Untermyer and having ordered that oral argument be held in connection with the aforesaid motion and cross-motion;

Pursuant to due notice the Commission having heard oral argument of counsel on behalf of Standard Gas and counsel for Guggenheimer & Untermyer;

The Commission by order dated May 14, 1954 (Holding Company Act Release No. 12496) having directed, among other things, that a hearing be held on the aforesaid application of Guggenheimer & Untermyer and having by subsequent order postponed the hearing to October 13, 1954, and having been requested to further postpone said hearing to November 15, 1954,

The Commission having considered the aforesaid motion by Standard Gas, the answer thereto, the cross-motion by Guggenheimer & Untermyer, and the briefs and oral arguments in support thereof and deeming it appropriate in the public interest and in the interest of investors that the following action be taken in connection with the aforesaid motions:

Notice is hereby given and it is ordered:

1. That the aforesaid motion of Standard Gas filed on May 5, 1954, and the cross-motion filed by Guggenheimer & Untermyer on May 27, 1954, be, and the same hereby are, denied in all respects except insofar as the Commission has heretofore granted, in part, the said cross-motion of Guggenheimer & Untermyer by its aforesaid order dated September 3, 1954.

2. That the hearing in respect of the application for allowances of fees and expenses filed by Guggenheimer & Untermyer heretofore scheduled for October 13, 1954, be, and the same hereby is, postponed to November 15, 1954, at 10 a. m. at the office of the Commission, 425 Second Street, Washington, D. C. On such date the hearing room clerk in Room 193 will advise as to the room in which the hearing will be held.

3. That the hearing officer heretofore designated to preside at the hearing scheduled to be held on October 13, 1954, shall preside at such postponed hearing.

4. That the Secretary of the Commission shall serve a copy of this notice and order by registered mail on Standard Power and Light Corporation, Standard Gas and Electric Company Philadelphia Company, Guggenheimer & Untermyer, Guggenheimer, Untermyer, Goodrich & Amram, and Connolly, Cooch & Bove; and that notice of the entry of this notice and order shall be given to all other persons by general release of the Commission which shall be distributed to the press and mailed to the mailing list of releases under the act and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 54–7388; Filed, Sept. 20, 1954; 8:47 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 29690]

SAND, GROUND OR PULVERIZED, BETWEEN POINTS IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

SEPTEMBER 16, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. W Boin, Agent for carriers parties to Grand Trunk Western Railroad Company tariff I. C. C. No. A–77 and other tariffs.

Commodities involved: Sand, ground or pulverized, carloads.

Between: Points in official territory including extended zone "C" in Wisconsin.

Grounds for relief. Rail competition, circuity, and rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: Schedules have been filed to become effective October 15, 1954. Applicants have been requested to amend application to list proposed schedules.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F R. Doc. 54–7383; Filed, Sept. 20, 1954; 8:46 a. m.]

[4th Sec. Application 29691]

CIGARETTES AND MANUFACTURED TOBACCO FROM DURHAM AND WINSTON-SALEM, N. C., TO LOUISVILLE, KY.

APPLICATION FOR RELIEF

SEPTEMBER 16, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Cigarettes and manufactured tobacco, carloads.

From: Durham and Winston-Salem, N. C.

To: Louisville, Ky.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1156, supp. 50.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 54–7384; Filed, Sept. 20, 1954; 8:46 a. m.]

[4th Sec. Application 29692]

CARBONATE OF CALCIUM FROM LUDINGTON, MICH., TO NEW ENGLAND TERRITORIES

APPLICATION FOR RELIEF

SEPTEMBER 16, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by H. R. Hinsch, Agent, for carriers parties to schedules listed below.

Commodities involved: Calcium, carbonate of, carloads.

From. Ludington, Mich.

To: Specified points in trunk line and New England territories.

Grounds for relief: Rail competition, circuity, and rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: H. R. Hinsch, Agent, I. C. C. No. 4542, supp. 80; Chesapeake and Ohio Railway Company I. C. C. No. 13168, supp. 184.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
*Secretary.*

[F. R. Doc. 54-7385; Filed, Sept. 20, 1954; 8:47 a. m.]